

**CITY OF NORWALK  
CHARTER REVISION COMMISSION  
REGULAR MEETING  
MAY 5, 2025**

**ATTENDANCE:** Tyler Fairbairn, Chair; Jo Bennett, Douglas Hempstead, John Levin  
  
Via Zoom: Carl Dickens, Vice Chair; Atty. Ed Camacho, Jim Clark Tanya Rhodes-Small

**OTHERS:** Atty. Steve Mednick

**CALL TO ORDER**

Mr. Fairbairn called the meeting to order at 6:40 p.m.

**ROLL CALL**

The roll was called. A quorum was present.

**PUBLIC PARTICIPATION**

Mr. Eric Taglione of Van Zant Street came forward and said that his concern was about minority representation. He said that he was a mayoral elect for the November municipal election and had been following the Charter Revision.

Mr. Taglione said that his question was about minority representation and he understood that this issue had been tabled. He thanked Mr. Fairbairn for the level of transparency in the portal.

Mr. Taglione said that he had worked for the Ct State Department during the past winter on a town mapping project. This involved reading town and city charters for information on their boards, commissions and other groups. He noted that both Hamden and Fairfield were particularly interesting in their approaches.

He thanked the Commission for their time.

Atty. Mednick said that for the record, unfortunately, the Fairfield Charter was excellent but failed to pass due to partisan politics. Mr. Levin asked what would be partisan and Atty. Mednick said that they could discuss it off line.

**MISCELLANEOUS REVISIONS**

Atty. Mednick said that in the very beginning Mr. Fairbairn and Atty. Mednick had worked together on the portion of the document titled Setting the Context. This was the first substantial

change in the Charter since 1913. He asked Mr. Fairbairn if he wished to review the statement to update it. Mr. Fairbairn said that he would look into updating that section.

In Definitions, Section 2-2b§7 & 9 – There is a substantial change on the language for the Capital Improvement Plan. There was also a change in §7 also. The Commission decided to vote on the individual changes as they reviewed them.

Atty. Mednick noted that they were not changing anything about the CFO and would hold that item over until the next meeting.

**\*\* ATTY. CAMACHO MOVED THE CHANGES FOR DEFINITIONS, SECTION 2-2B §7 FOR THE CAPITAL BUDGET & §9 FOR THE CAPITAL IMPROVEMENT PLAN.  
\*\* THE MOTION PASSED UNANIMOUSLY.**

Atty. Mednick said that there were numerous scribe's errors and erratas in the document such as the movement of the definition of Public Official from its previous location into the correct alphabetical order.

In Section 3-4a – regarding the Common Council, Atty. Mednick explained that the change had been discussed and approved at the April 15th meeting.

Section 4-4c§3c – regarding the Common Council, was relegated to the back of the document, the appeal language from the prior Charter is being retained and relocated to a more appropriate location. It speaks about laying out sewers, assessment and the appeal process. It is being moved from the back of the Charter to Section 4§4, which is the Common Council section.

Section 4-4c§5 was moved from the back of the document to this section also, which gives the Common Council delegate some authority to the Financial Officer. Mr. Levin noted that these sections were simply being relocated. Atty. Mednick said Chapters 13 & 14 will basically disappear, but there will be some language still in the chapters. He added that he would review this with the Council during that presentation. Atty. Mednick then shared the document on screen and indicated where the appeal section was located.

**\*\* MR. CLARK MOVED TO APPROVE THE CHANGES MADE IN SECTION 4-4C§3C AND 4-4C§5 AS PRESENTED.  
\*\* THE MOTION PASSED UNANIMOUSLY.**

The Commission then reviewed the Referendum section, Section 4-10. He noted that there were a number of changes that were submitted by Mr. Levin and approved by the Commissioners on April 1st. Atty. Camacho said that he had concerns about the issue in G where the changes indicated that there were previous rights that were being retained and other rights that were retained but not specifically mentioned. Atty. Mednick said that there were two additional items that had not yet been finalized and he would discuss this with them at that time.

In Section H, there were some scribner's changes such as capitalizing "Elector" and "City" in that section. He said that the change was the use of the defined terms and capitalizing them. He said that he had noted it as an Action Item, but shouldn't have.

Atty. Mednick said that the next section that they needed to review and potential approve were the changes in the Section dealing with Constables. He said that he was looking for a vote on whether to retain this section along with §6-4 – Sheriff, Authority and Duties.

Atty. Camacho said that his concerns was about the State statutes and they make the ballots rather crowded. He felt that it should be simplified and these positions often make the ballot two sided.

Mr. Dickens noted that the Sheriff was previously discussed and retained for a reason. Mr. Levin asked what that reason was. Mr. Dickens said that it was because of the individual that was in that position. Discussion followed about having the police serve eviction notes and using process servers for the other papers that are served to individuals. Discussion followed about the limitation of constables and marshals. Discussion followed.

Atty. Mednick suggested that they might want to consider putting a deadline such as the end of their terms. He noted that the Probate Court was using the constables for serving notices. Discussion followed. It was suggested that this item be referred to the next meeting because Mr. McQuaid had some strong feelings about the issues. This was acceptable to all.

Mr. Hempstead referred everyone to CGS 9-200; 7-92 and 9-185 about Constables. He said that they have they have the power to serve papers during the regular municipal elections with a two year term or they can be appointed. They carry out civil duties and serve warrants, civil processes and a number of other things.

Mr. Levin asked why they were in the Charter. Mr. Hempstead said that they were there because they are elected officials. Mr. Dickens said that they had invited the Constables in to describe their duties during the last Charter Commission. Several of the individuals did not know. Discussion followed. Atty. Mednick pointed out that back in 1913, there might not have been a State statute regarding them.

Atty. Mednick directed everyone's attention to Section 7-1§B. He explained that the stagger was approved by the CRC and there was new language added regarding "less than two years". In B2, there is a requirement that the ordinance include provisions. He explained that "these provisions would be applicable to all Boards and Commissions". This removes it from being in the ordinance to applying to all Commissions and Boards. He reviewed the language that was removed because it was duplicated elsewhere.

In Section 7-§1d – Frequency of regular Meetings of all Boards and Commissions, Atty. Mednick reviewed the language that he removed dealing with commissions establishing rules. It was redundant with Section 7-1e, which requires establishing a standard.

The discussion moved to §4 regarding having regularly scheduled meetings. A question was raised about cancelling meetings for two consecutive months Discussion followed about requiring a meeting every other month. Mr. Hempstead pointed out that a meeting could be posted and fail to achieve a quorum.

The final changes is in the Public Record section where “each clerk was required” and this was changed to “each Board and Commission is required”. If a Board or Commission has a clerk, that individual would be responsible for making sure that the records are provided, but if a Board or Commission does not have a clerk, they are responsible for working with the City Clerk to make sure that all the records are complete and filed appropriately.

**\*\* MR. HEMPSTEAD MOVED TO APPROVE THE CHANGES IN SECTION 7-1B2; 7-4 AND 7-6 AS PRESENTED.**

**\*\*THE MOTION PASSED UNANIMOUSLY.**

Atty. Mednick said that he had corrected the misspelling of “conterminously” in Section B(1)a regarding the Police Commission and again in Section C(1)a regarding the Fire Commission.

The Commission then reviewed Section 8, Atty. Mednick noted that the current Charter uses the term “classified employees”, which is not a term that should be used in the City.

The discussion moved to the language regarding the selection of the Library Director. It was noted that Ms. Noor, the chair of the Library Board, has specifically asked that the Director appointment be by the Mayor in consultation the Board. This was going to be added to the list for the next meeting.

Discussion followed about creating a new category, §8-2A5 and the appropriate language for that section. It was suggested that proposed language was “The Library Director is selected in consultation with the Library Board of Directors.”

Atty. Camacho asked if there was a definition of what “in consultation” means. Discussion followed. Atty. Mednick said that it would mean what the Mayor determines it to mean.

It was noted that Ms. Noor’s suggested language was “The Mayor shall appoint the Library Director in consultation with the Library Board from a list of not less than three candidates nominated by them.” The Commission’s proposed language will say that the Mayor is to consult with the Library Board, but the Mayor is not obligated to choose from the specific list that the Library Board gives him. Additional discussion followed about how the process currently works. It was agreed that the Commission would vote on §8-2A3M at the next meeting.

**\*\* MR. HEMPSTEAD MOVED THE REMOVAL OF THE PHRASE “CLASSIFIED EMPLOYEES” FROM §8-2A2.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

Mr. Levin indicated there was a typo in §7-2-8A-3b that needed to be corrected. The language under Political and Geographic Balance under the BET, currently reads “for a term of four years commencing on the at day of February” but should read “for a term of four years commencing on the first day of February”. Atty. Mednick made the change as requested.

The discussion moved to §8-2G which involved language stating “every appointee of the Council when required by the Council must” and suggested that this text be simplified to “every appointee must before an appointee enters the duties of office take the oath.” rather than being required by the Council.

Atty. Mednick then directed everyone’s attention to §8-3B stating the Council determines the number of attorneys and their compensation. Additional language stipulated that this was subject to the Board of Finance or the BET. He explained that the CFO informed him that this was not the process that the City was using, so he suggested removing the language having to do with BET approval regarding the Corporation Counsel compensation.

A brief discussion followed about whether the BET was responsible for the budget line item veto. Atty. Mednick explained that this did not include compensation, which is a Council function.

Mr. Levin asked if there was any changes to the oath. Atty. Mednick reviewed the details with him. He reiterated the change that some of the language involving “every appointee of the Council when required by the Council must” would be removed and simplified to “every appointee must before an appointee enters the duties of office take the oath.” The oath of office was not changed.

**\*\* MR. HEMPSTEAD MOVED TO APPROVE THE CHANGES TO §8-2G AND §8-3B AS PRESENTED.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

Atty. Mednick said that he would deal with the sections on Finance at the next meeting that is covered by §8-4. He showed the Commissioners where the block of text from the back of the Chapter that he had previously mentioned the Finance Direction had requested be retained in §8-4(4).

Mr. Levin said that he felt that the sentence was either grammatically incorrect or may have some spelling errors. He asked Atty. Mednick to review that paragraph. Atty. Mednick said that they would hold that item.

The discussion moved to Historical Provisions. He indicated where the language involving the Purchasing Agents historical transition was removed. Atty. Mednick explained that everything in this section was subject to sunset if the Council adopts an ordinance. If the Corporation Counsel certifies that the function required by the Charter is met by the ordinance, then the appropriate

sections will sunset out. He said that the section needed more work but requested that the Commission approve it with the expectation that he will have it corrected by the time it comes back to the Commission from the Council.

**\*\* ATTY. CAMACHO MOVE TO APPROVE THE SUGGESTED CHANGES IN §8-4D1 AND §8-4D4 AS PRESENTED.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

### **TAX COLLECTOR**

Atty. Mednick said that there were a number items that the Tax Collector indicated supported the authority of the Office. He requested that they support those additional items from §14-5.

Mr. Dickens asked if there was a clear definition of what a sidewalk was since this language allows a lien to be placed on the property. He added that there were some trails that were referred to as sidewalks. Atty. Mednick said that the lien would be placed when they were converting a footpath or trail into a regular sidewalk. A discussion followed about the City converting a trail into a sidewalk. Mr. Hempstead pointed out that foot paths were exempt from sidewalk requirements. A discussion followed about how much property from the center of the road is considered city property and public improvement liens.

Atty. Mednick reminded everyone that this language was already in the Charter and they were just relocating this to a different location. Mr. Dickens said that he just wanted to clarify what a sidewalk was. Atty. Mednick said that he would check with the CFO and the Tax Collector on this and also look up the definition of sidewalk for the next meeting.

**\*\* MR. LEVIN MOVED TO APPROVE THE RELOCATION OF THE TEXT FROM §14-5 TO §8-4E.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

### **PUBLIC WORKS**

In §8-7, titled the Division of Public Works, b2, the section a through f , and Section 3, a-c needs to be discussed with the Council. Atty. Mednick said that he had added a sunset proviso because much of the language needs to be discarded because it is unnecessary

**\*\* MR. DICKENS MOVED TO APPROVE THE RELOCATION OF LANGUAGE INTO §8-7(B)2A-M, §8-7(B)3 AS PRESENTED.**

Mr. Clark reminded them that they needed to authorize the additional language.

**\*\* MR. DICKENS MOVED TO AMEND HIS PREVIOUS MOTION AS FOLLOWS:**

**TO APPROVE THE RELOCATION OF LANGUAGE INTO §8-7(B)2A-M, §8-7(B)3 AND TO AUTHORIZE THE ADDITION OF THE SUNSET PROVISIO AS PRESENTED.**

**\*\* THE MOTION TO APPROVE AS AMENDED PASSED UNANIMOUSLY.**

**ARTICLE X**

Atty. Mednick said that they had previously discussed the budget at length. The Commission agreed to vote on Article X as a whole. Atty. Mednick proceeded to review the various changes in this Article which were indicated in the red line version with the Commission.

Mr. Hempstead had concerns about when the documents would be posted on the website as referenced in 10-2. Atty. Mednick said that the Public Notice would be considered posting. It is a defined term and requires posting and possibly publication in the newspaper.

Atty. Mednick reminded everyone that before they vote on the final document, they will have a redline copy in front of them so they will be able to see all the changes. When they hold the Public Hearing, he will also try to provide a red line copy for the public.

The discussion moved to §10-13 and Atty. Mednick clarified that the Planning and Zoning Boards were not voting on the Capital Plan, but they are voting on the Capital Budget. He said that there was no need for them to make a decision that the overall 10 year plan was in compliance with the POCD.

Atty. Mednick noted that §10-15D was where the Commission discussed the issue regarding funds can be transferred to the Operating Budget. However, this is subject to the funding being re-instated by the Council.

The Commission then reviewed §10-15B, where Capitol Budget items can lapse if not implemented by the Common Council within four years. Atty. Mednick gave the details and explained that the CFO had recommended the language.

**\*\* MR. DICKENS MOVED TO APPROVE ARTICLE X, WHICH DEALS WITH THE BUDGET AND FINANCES WITH ALL PROPOSED CHANGES AS PRESENTED.  
\*\* THE MOTION TO APPROVE PASSED UNANIMOUSLY.**

The Commission and Atty. Mednick then reviewed §11-4 Periodic Review of the Charter and Amendment of the Charter. Atty. Mednick reminded everyone that he suggested that they change the review from every 5 year to every 10 years.

Mr. Levin said that the last Charter Revision Commission had instituted the five year requirement. He said that he would like clarification on the rationale for five years and why Atty. Mednick was now suggesting every 10 years. Atty. Mednick explained that from his point of

view, this was a constitution and he believes every 10 years would be the best practice. If there are changes every five year, it undermines the notion that this is a foundational document for the City. He said that he could not speak for the former Commission but believed that they chose the shorter period of time because they felt they had been unsuccessful in dealing with the Charter, so the future Commissions should review it more frequently.

Mr. Fairbairn and Mr. Dickens agreed. Mr. Fairbairn said that the previous Commission had made a number of smaller changes that cumulatively had a major impact, but there were issues that were too large to handle during the session. He added that after what was done this time, he felt that 10 years would be an excellent time period.

Mr. Levin said that this was an opportunity for the citizen to look at the rules and determine whether things needed to be adjusted or tweaked. He felt that the Council would have the option to call a Commission if they felt the need to do so. Mr. Levin felt that elected officials often find it easiest to do nothing. The State requires the City to hold public hearings at both the beginning and at the end. This forces the City to consider if things were good enough. He said that ten years was not enough and noted that Ellington had a five year review requirement and Ridgefield had a four year charter review. Atty. Mednick commented that the State does not have a Charter Review Requirement. Mr. Levin said that he had been told otherwise. He said that living in the technology age, things change rapidly.

Mr. Fairbairn noted that there was a cost associated with the Charter Revision and it is not just an exercise in civic engagement. The previous Commission did not have any civic engagement and there had been very little this time. However, there is a very real, six figure cost for the taxpayers of Norwalk to do this.

Discussion followed about public engagement. Mr. Levin claimed that this Commission had not been seeking to engage the public in a meaningful way. He added that the vast majority of the people that live in the town don't know what the Charter is and are uninformed.

Atty. Camacho said that there was some level of predictability that was needed and changing the rules every five years would not be good for this. He said that Mr. Levin seemed to have a fundamental distrust in the representative democracy and apparently believes that the Common Council will not do anything for the next 10 years if a Charter issue came up that needed to be addressed. That is one philosophical perspective on governance.

Atty. Camacho said that predictability in government is necessary and requiring a city or town to convene every ten years provides both predictability and public engagement on a regular basis. He said that if the future elected Council decided that there was a Charter issue that needed to be urgently addressed, the option was available. This is why he felt that the 10 years timeline would be appropriate.

Mr. Levin said that the more frequent Commission would provide the public with an opportunity to express their concerns on issues, such as minority party representation. Keeping it as it is he felt was anti-democratic and disrespectful to the voters.

**\*\* MR. DICKENS MOVED TO APPROVE THE CHANGE TO §11-4 PERIODIC REVIEW OF THE CHARTER AND AMENDMENT OF THE CHARTER TO A MANDATORY TEN (10) YEAR REVISITING OF THE CHARTER NO LATER THAN SEPTEMBER 2035 AND EVERY TEN (10) YEARS THEREAFTER IN PLACE OF FIVE (5) YEARS.**

**\*\* THE MOTION PASSED WITH SIX (6) IN FAVOR (CAMACHO, CLARK, DICKENS, FAIRBAIRN, HEMPSTEAD RHODES-SMALL) AND TWO (2) OPPOSED (BENNETT AND LEVIN).**

Atty. Mednick said that he represents other Charter Commissions and is sympathetic towards Mr. Levin's concerns about engaging the public. He noted that other Commissions have held meetings throughout their communities but the pandemic prevented that. Going forward, it will be important to engage the public as much as possible. Hybrid meetings should be a boon, but in some cases it is not. He went on to speak about Salem, Connecticut, a town of 5,000. They spent a great deal of time on outreach. They sent out a survey via mail, at the library and online. Despite their diligence, they only ended up with about 200 responses. He said that at their last public hearing, 40 people had shown up, which was a significant increase over the normal three or four. 20 of those 40 in attendance spoke and there was civil dialogue. While this was wonderful, he noted that it is very difficult to engage the public. He explained that this lack of engagement is not just a problem for Norwalk.

Mr. Fairbairn said that he had worked on a community engagement campaign in Bridgeport, the largest city in the State, that resulted in six people attending.

### NEW BUSINESS

#### **A. Public Hearing**

#### **B. Final meeting date**

Mr. Fairbairn said that there would be a meeting next week on the 15th and the public hearing was scheduled for the 20th. Atty. Mednick said that the Commission would be when the Commission would vote on the final outstanding issues that would be included in the document presented to the public on the 20th. Discussion followed about Commission members' availability.

Atty. Mednick said that he would like to submit the final document on the 29th.

The final issues to be discussed are the four year mayoral term; the Library Board and at large Minority Party Representation (MPR).

Mr. Hempstead said that during the last Charter Revision Commission, the dates were moved for when officials took office. He said that the terms of other Committees do not match up. He gave the details. The newly elected Council Members and others take their seats on the first business

day following January 1st. Mr. Hempstead asked if the incoming Council Members and the elected officials needed to take the oath of office at that time. Atty. Mednick said that he would check.

Mr. Hempstead said that the incoming Council would take office on January 2nd and not meet until January 13th. Discussion followed about the Police and Fire Commission. Atty. Mednick said that the individuals who had been serving on the Police and Fire Commission would remain until the Mayor appoints new Commissioners that are approved. He added that it was his recommendation that this be one of the first things that a Mayor does so the Council can deal with it as soon as possible. Discussion followed about when an appointed Commissioner's term would start and end.

Atty. Mednick said that previously legislation set the length of the term and this issue was setting a commencement date for that term. Additional discussion about the details and whether the MPR was approved. Mr. Fairbairn said that there were three proposals for MPR and only one was voted on.

Mr. Levin had a question about if the MPR would apply to a vacancy appointment or a resignation on a Board or Commission. He wished to know if the Board or Commission would be invalidated if the MPR requirement was not met. Atty. Mednick said that he knew of cases where the MPR was not met because the MPR member did not show up for the meeting. He said that he did not know what the Courts would do by extension if there was a failure to appoint. He said that he did not think there was a remedy.

Atty. Camacho suggested that as long as there was a mechanism to appoint someone to fill the vacancy and unless that mechanism is not followed for arbitrary reasons, he felt that the administration could proceed with a legal vote. He said that it would be very fact specific and noted that they could not invalidate the actions of a Commission or Board because they failed to have the appropriate amount of MPR for the meeting. Atty. Mednick agreed and said that it would give the MPR an automatic veto by not showing up.

Mr. Levin said that his question was in relationship to vacancy in MPR positions. Atty. Mednick said that Stamford has some hold overs that have been in place for seven years because the Mayor does not want to change the current composition of the Board of Representatives. It does happen.

### **ADJOURNMENT**

**\*\* MR. LEVIN MOVED TO ADJOURN.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 8:56 p.m.

Respectfully submitted,

S.L. Soltes

Telesco Secretarial Services

City of Norwalk  
Charter Revision Commission  
Regular Meeting  
May 5, 2025